

**STATE OF NEW YORK SUPREME COURT  
COUNTY OF ONONDAGA**

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**R.W.**

**Plaintiff,**

**COMPLAINT**

**Index No.:**

**v.**

**KENNETH C. HEUERMANN;  
THE ESTATE OF EDWARD RISING;  
THE ESTATE OF LUTHER MEYER;  
UPSTATE NEW YORK SYNOD;  
EVANGELICAL LUTHERAN CHURCH IN AMERICA;  
SAINT MICHAEL'S LUTHERAN CHURCH; and  
DOES 1-100**

**Defendant(s).**

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Plaintiff R.W. alleges that:

**JURISDICTION**

1. R.W. at all times herein mentioned, resided in Onondaga County and the amount claimed herein exceeds all other courts of competent jurisdiction. This Complaint is brought pursuant to the New York State Child Victim Act, "which extends the Statute Of Limitations for prosecuting child sexual abuse crimes and filing civil lawsuits for damages against individuals, public institutions, and private institutions related to child sexual abuse. This act also creates a one-year revival period for previously time-barred civil actions which alleged conduct representing the commission of certain sexual offenses committed against a child less than eighteen years of age."

2. R.W. is informed and believes and on that ground alleges that the Defendants UPSTATE NEW YORK SYNOD (hereinafter UNYS) and EVANGELICAL LUTHERAN CHURCH IN AMERICA (hereinafter ELCIA) and SAINT MICHAEL'S LUTHERAN

CHURCH (hereinafter CHURCH) are, and at all times herein mentioned, were, corporations or other forms of business organizations authorized to do business and doing business in the County of Onondaga, State of New York.

3. R.W. is informed and believes and on that ground alleges that the Defendants KENNETH C. HEUERMANN, (hereinafter HEUERMANN), at all times relevant to this action was the pastor and managing agent of Defendant SAINT MICHAEL'S LUTHERAN CHURCH, the Estate of Edward Rising, (hereinafter RISING), the Estate of Luther Meyer, (hereinafter MEYER), at all times herein mentioned were and are residents of the County of Onondaga, State of New York. Further, at all relevant times, Defendants, and each of them, were managing agents of Defendant SAINT MICHAEL'S LUTHERAN CHURCH.

4. The Plaintiff is petitioning the Surrogate's Court of Onondaga County, State of New York, for the appointment of an administrator over both the Estate of RISING and the Estate of MEYER. Plaintiff will amend this Complaint to reflect the Order granting Plaintiff's Petition appointing administrators to these Estates for purposes of this litigation.

5. R.W. is ignorant of the true names and capacities of the Defendants sued herein as DOES 1-100, (herein after DOES), inclusive, and therefore sues these Defendants, and each of them, by such fictitious names. R.W. is informed and believes and on that ground, alleges that each of the fictitiously named Defendants is responsible in some manner for the occurrences alleged herein and that the damages alleged herein were legally caused by such Defendants, and each of them.

6. R.W. is informed and believes and on that ground alleges that, at all times herein mentioned, the Defendants, and each of them, were the agents and employees of each other and, in doing the things herein alleged, were acting within the scope of such agency, servitude and/or employment and with the consent and permission of the other Defendants. Additionally R.W. alleges that each Defendant acted pursuant to an agreement, plan, and conspiracy and that each

Defendant carried out multiple overt acts to consummate the conspiracy. Each Defendant authorized, ratified, and adopted, pursuant to said conspiracy, each of the illegal acts of each other as hereinafter alleged.

**FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS**

7. In or around the period 1961 through 1968, Plaintiff R.W. was an emotionally vulnerable minor with material emotional needs and problems.

8. During that period, HEUERMANN, was a pastor at Saint Michael's Lutheran CHURCH in Camillus, New York and agreed to accept responsibility for teaching and guiding R.W. into and through adolescence, in accordance with Biblical principles. Including, but not limited to, Matthew chapter 18 verse 6, which states: "If anyone causes one of these little ones-who believe in me-to stumble, it would be better for them to have a large millstone hung around their neck and to be drowned in the depths of the sea."

9. During the period of their relationship, HEUERMANN, along with the assistance and cooperation of RISING and MEYER and other DOE Defendants, breached his duty of care to the Plaintiff R.W. and conducted themselves in an unprofessional and negligent manner with said Plaintiff.

10. At all times material to this action, Plaintiff R.W. reposed trust and confidence in Defendants HEUERMANN, RISING, MEYER, UNYS, ELCIA, DOES, and CHURCH.

11. During the 1960's, HEUERMANN, RISING, MEYER, and DOES were Pastors, and/or Staff at CHURCH, for which R.W. was a regular member.

12. During that same period, UNYS, ELCIA, and CHURCH knew, or should have known, that HEUERMANN, RISING, MEYER, and DOES routinely had juveniles, from the CHURCH and elsewhere, in their care and custody, and the UNYS, ELCIA, and CHURCH, knew, or should have known, that HEUERMANN, RISING, MEYER, and DOES routinely had

juveniles alone in the parsonage, CHURCH office, and at other CHURCH related events and places, undress them, take pornographic pictures of them, be subject to nudity, participate in illegal sexual misconduct between HEUERMANN, RISING, MEYER, and DOES and the juveniles, including, fondling, choking and binding, masturbation, rape, sodomy, ritualistic sex acts, physical, and psychological torture, pornographic photography, and threats of death and harm. All of the alleged acts and omissions are in the nature of continuing torts. At all times during these acts being perpetrated upon R.W. HEUERMANN, RISING, MEYER, and DOES were acting in the scope of their employment and/or official capacities and on behalf of the UNYS, ELCIA, and CHURCH therefore making the UNYS, ELCIA, and CHURCH liable for these actions through the theory of Respondeat Superior. Further, some of the acts constitute conduct prescribed, but not limited to, New York Penal Code sections 121, 130, 260.

13. During that same period UNYS, ELCIA, and CHURCH, knew, or should have known, that HEUERMANN, RISING, MEYER, and DOES routinely separated numerous juveniles from the other children and/or parents and raped them and took pornographic photographs of them, touched and fondled their genitals, and performed ritualistic torture upon the children by tying them up and raping and torturing them in the sanctuary and other sacred places in the CHURCH. Defendants UNYS, ELCIA, and CHURCH have enacted a policy of ratification, endorsement, and authorization of said abuse through their disregard for the welfare of children in their care.

14. During that same period, UNYS, ELCIA, and CHURCH, knew, or should have known, that HEUERMANN, RISING, MEYER, and DOES, routinely took juveniles on "private" trips, frequently without any additional adult supervision, and some of those juveniles were subjected to illegal sexual misconduct by HEUERMANN, RISING, MEYER, and DOES including, but not limited to rape, sodomy, torture, fondling, masturbation, threats, and being photographed while naked.

15. HEUERMANN, RISING, MEYER, and DOES are either presently discharged of their services for the Defendants herein and/or deceased, and/or and reside in Onondaga County, New York.

16. Neither, UNYS, ELCIA, or CHURCH, any of their agents or employees, undertook any background investigation of HEUERMANN, RISING, MEYER, or DOES before authorizing and approving HUUERMANN, RISING, MEYER, or DOES to become Pastors and/or work with children.

17. Neither, UNYS, ELCIA, or CHURCH, or any of their agents or employees, instructed anyone relevant regarding the known and documented risks of pedophiles becoming Pastors and harming children.

18. Neither, UNYS, ELCIA, or CHURCH, or any of their agents or employees, instructed anyone relevant regarding screening, selection, and background checks to prevent the known and documented risk of pedophiles becoming Pastors and harming children.

19. During the 1960's, the UNYS, ELCIA, and CHURCH, knew, or should have known that pedophiles would be attracted to positions within the CHURCH, such as those occupied by HEUERMANN, RISING, MEYER, and DOES and consequently had a duty to test, screen, and investigate the background of applications for the positions of Pastors and/or Staff.

20. Prior to R.W. being sexually abused by HEUERMANN, RISING, MEYER, and DOES, neither UNYS, ELCIA, or CHURCH, or any of their employees or agents, informed anyone relevant, or R.W., of any Youth Protection Guidelines, to educate children, local committees, and parents of the risks and signs of pedophiles preying upon children.

21. UNYS, ELCIA, and CHURCH leaders, including, but not limited to the Bishop of UNYS and/or ELCIA did not investigate claims of sexual abuse by HEUERMANN, RISING, MEYER, or DOES when they were notified of the allegations and did not submit HEUERMANN, RISING, MEYER, or DOES names to be included on the "Ineligible Pastors

an/or Volunteers/Employees List" or report incidents of abuse to the proper law enforcement authorities despite being notified multiple times throughout the past several decades, and despite mandatory reporting requirements, which allowed other children to be at risk of similar acts by the Defendants.

22. At all times mentioned herein, Defendants were the agents, representatives and employees of each and every other Defendant. In doing the things hereinafter alleged, Defendants were acting within the course and scope of said alternative personality, capacity, identity, agency, representation and/or employment and were within the scope of their authority, whether actual or apparent.

23. At all times mentioned herein, Defendants were the trustees, partners, servants, joint ventures, shareholders, contractors, and/or employees of each and every other Defendant, and the acts and omissions herein alleged were done by them, acting individually, through such capacities and within the scope of their authority, and with the permission and consent of each and every other Defendant and said conduct was thereafter ratified by each and every other Defendant, and each of them is jointly and severally liable to Plaintiff.

### **FIRST CAUSE OF ACTION**

#### **FALSE IMPRISONMENT**

#### **- (AS AGAINST HEUERMANN, RISING, MEYER, AND DOES)**

24. R.W. repeats, realleges and incorporates by reference each and every allegation of Paragraphs 1 through 23 of this complaint in this First Cause of Action as though fully set forth herein.

25. Defendants, HEURMANN, RISING, MEYER, and DOES, as part of their sexual abuse and without the consent of the Plaintiff, on multiple occasions, bound and gagged R.W. who was forced into and left alone to suffer in confined spaces within the CHURCH and/or parsonage.

26. As a result of being aware of being forced into confinement by the Defendants, R.W. has sustained serious and permanent injuries to, including, but not limited to, health,

strength, activity, severe mental anguish and severe emotional distress, including, but not limited to anxiety, sleep disturbance, eating disturbance, stomach upset, depression, withdrawal, diminished self-esteem, post-traumatic stress disorder and dissociation; disruption of social functioning including, but not limited to difficulties with peers, difficulties with the opposite sex, inability to enjoy marriage, inability to enjoy children, distrust of authority figures, and was and will be caused to suffer such injuries indefinitely into the future, all resulting in general damages. As a further legal result of said wrongful acts, R.W. was required to and did employ physicians and medical providers to examine, treat, and provide care, and incurred expenses therefore, and will be required to incur additional expenses in the future, the exact amount of which is unknown at this time.

27. As a further legal result of said wrongful acts, R.W. has and will continue to suffer substantial and continuing impairment of earning capacity, the exact extent of which is unknown at this time.

28. The aforementioned wrongful acts of HEUERMANN, RISING, MEYER, and DOES were willful, malicious, and intentional, and were committed with full knowledge that they constituted a crime and that they would cause permanent and devastating physical and mental harm to R.W.. R.W. is therefore entitled to an award of punitive damages.

### **SECOND CAUSE OF ACTION**

#### **ASSAULT AND BATTERY, SEXUAL MOLESTATION/ABUSE OF A MINOR, SEXUAL BATTERY - (AS AGAINST HEUERMANN, RISING, MEYER, AND DOES)**

29. R.W. repeats, realleges and incorporates by reference each and every allegation of Paragraphs 1 through 28 of this complaint in this Second Cause of Action as though fully set forth herein.

30. On multiple occasions, during the period 1961 and 1968, in Onondaga County, HEUERMANN, RISING, MEYER, and DOES intentionally raped, sodomized, tortured,

threatened death and harm, photographed naked, sexually touched, molested, choked, performed ritualistic sex acts, bound, and committed lewd and lascivious acts upon R.W. who, at all times, was a minor, between the ages of 8 and 15 years of age, in violation of the New York Penal Code. Said rape, sodomy, torture, ritualistic sex acts, nude photographing, molestation, choking and binding, and lewd and lascivious acts were committed against R.W.'s will and without consent and R.W. did not comprehend or understand what HEUERMANN, RISING, MEYER, and DOES were doing or the harm that it would cause. By reason of the age of Plaintiff at the time of molestation and the imbalance of power inherent in the relationship between Plaintiff and Defendants, the Plaintiff was unable to perceive the harm posed by the Defendants and/or their conduct or omissions, and could not consent to the sexual and physical conduct by Defendants HEUERMANN, RISING, MEYER, and DOES.

31. On all said occasions, R.W. was an active member of the UNYS, ELCIA, and CHURCH, and was under the care, custody, and control of HEUERMANN, RISING, MEYER, and DOES, who were agents of UNYS, ELCIA, and CHURCH, and Pastors and/or represented CHURCH by working and/or volunteering there.

32. As a legal result of said wrongful acts, R.W. has sustained serious and permanent injuries to, including, but not limited to, health, strength, activity, severe mental anguish and severe emotional distress, including, but not limited to anxiety, sleep disturbance, eating disturbance, stomach upset, depression, withdrawal, diminished self-esteem, post-traumatic stress disorder and dissociation; disruption of social functioning including, but not limited to difficulties with peers, difficulties with the opposite sex, inability to enjoy marriage, inability to enjoy children, distrust of authority figures, and was and will be caused to suffer such injuries indefinitely into the future, all resulting in general damages.

33. As a further legal result of said wrongful acts, R.W. was required to and did employ physicians and medical providers to examine, treat, and provide care, and incurred



expenses therefore, and will be required to incur additional expenses in the future, the exact amount of which is unknown at this time.

34. As a further, legal result of said wrongful acts, R.W. has and will continue to suffer substantial and continuing impairment of earning capacity, the exact extent of which is unknown at this time.

35. The aforementioned wrongful acts of HEUERMANN, RISING, MEYER, and DOES were willful, malicious, and intentional, and were committed with full knowledge that they constituted a crime and that they would cause permanent and devastating physical and mental harm to R.W.. R.W. is therefore entitled to an award of punitive damages.

### **THIRD CAUSE OF ACTION**

#### **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS - (AS AGAINST HEUERMANN, RISING, MEYER, AND DOES)**

36. R.W. repeats, realleges and incorporates by reference each and every allegation of paragraphs 1 through 35 of this complaint in this Third Cause of Action as though fully set forth herein.

37. In doing the unprivileged, extreme and outrageous acts alleged herein, HEUERMANN, RISING, MEYER, and DOES acted intentionally, maliciously, and recklessly, for the purpose of causing R.W. humiliation, mental anguish, and severe emotional and physical distress. In doing these acts, HEUERMANN, RISING, MEYER, and DOES abused their position as a Pastor and/or lay-Staff and/or volunteers, which gave them actual authority over R.W. and power to affect R.W.'s interests. HEUERMANN, RISING, MEYER and DOES also acted wantonly and recklessly and with complete disregard for the consequences to R.W. and others.

38. HEUERMANN, RISING, MEYER, and DOES outrageous and unprivileged actions were the cause of R.W.'s severe emotional, psychological, and physical distress. The

emotional and psychological distress sustained by R.W. was severe and of such a nature that no reasonable person could be expected to endure it.

**FOURTH CAUSE OF ACTION**

**NEGLIGENCE - (HEUERMANN, RISING, MEYER, AND DOES)**

39. R.W. repeats, realleges and incorporates by reference each and every allegation of paragraphs 1 through 38 of this complaint in this Fourth Cause of Action as though fully set forth herein.

40. During the period of 1961 through 1968, HEUERMANN, RISING, MEYER, and DOES engaged in activities of a harmful nature and otherwise abused their positions of trust and authority under the guise of moral leadership. HEUERMANN, RISING, MEYER, and DOES utilized their role as a Pastor and CHURCH Staff to obtain an unfair advantage over R.W.

41. In so acting, Defendants HEUERMANN, RISING, MEYER, and DOES violated their duty of care, trust, and loyalty toward Plaintiff R.W. and breached the ethical, fiduciary, and professional obligations to which they were subject.

42. HEUERMANN, RISING, MEYER, and DOES knew, or should have known, in the exercise of ordinary care, that their wrongful acts, as alleged, were negligent and careless and would cause R.W. humiliation, mental anguish, psychological, emotional, and physical harm and distress.

43. As a direct and legal result of Defendants HEUERMANN, RISING, MEYER, and DOES conduct, R.W.'s self-esteem and ability to trust others has been substantially impaired, thereby making it more difficult to obtain future help and treatment from other professionals.

44. HEUERMANN, RISING, MEYER, and DOES actions were the cause of R.W.'s severe emotional, psychological, and physical distress. The emotional and psychological distress sustained by R.W. was severe and of such a nature that no reasonable person could be expected to endure it.

**FIFTH CAUSE OF ACTION****BREACH OF FIDUCIARY DUTY - (ALL DEFENDANTS)**

45. R.W. repeats, realleges and incorporates by reference each and every allegation of paragraphs 1 through 44 of this complaint in this Fifth Cause of Action as though fully set forth herein.

46. HEUERMANN, RISING, MEYER, UNYS, ELCIA, CHURCH, and DOES undertook to establish a fiduciary relationship with R.W. pledging a duty of trust and loyalty and requiring R.W. to pledge trust and loyalty to them. At all times material to this action R.W. reposed trust and confidence in all Defendants and Defendants enjoyed a position of superiority over R.W. for which Defendants abused and exploited to the detriment of R.W.

47. As a member of the CHURCH, R.W. agreed to uphold a duty and loyalty to the CHURCH and to perform duties as required of its members. R.W. attended confirmation and Sunday school classes, Luther League, services, among other activities revolving around the CHURCH.

48. HEUERMANN, RISING, MEYER, UNYS, ELCIA, CHURCH, and DOES breached their fiduciary duty owed to Plaintiff R.W. and abused their position of trust and confidence for their own advantage.

49. In so acting, Defendants HEUERMANN, RISING, MEYER, UNYS, ELCIA, CHURCH, and DOES breached their fiduciary duty to Plaintiff R.W. causing R.W. humiliation, mental anguish, and severe emotional, psychological, and physical distress.

**SIXTH CAUSE OF ACTION****GENERAL NEGLIGENCE, INCLUDING  
NEGLIGENT HIRING, EMPLOYMENT, RETENTION, SUPERVISION,  
TRAINING and MANAGEMENT OF PROPERTY -  
(UNYS, ELCIA, CHURCH, AND DOES)**

50. R.W. repeats, realleges and incorporates by reference each and every allegation of

paragraphs 1 through 49 of this complaint in this Sixth Cause of Action as though fully set forth herein.

51. At all times herein mentioned, HEUERMANN, RISING, MEYER, and DOES were employed and/or under the supervision and control of UNYS, ELCIA, CHURCH, and other DOES, and each of them, as a Pastor, lay-Staff, and volunteers and authorized and permitted by said Defendants, and each of them, to be R.W.'s Pastor and otherwise in control, and to exercise care, custody, and control of R.W. as a minor and an active CHURCH member.

52. At all times herein mentioned, UNYS, ELCIA, CHURCH, and DOES, and each of them, were under a duty to hire and/or authorize persons to be Pastors and/or Staff who were responsible and moral and who could properly care, supervise and control minors and active members of the CHURCH. In the instant case, however, said Defendants, and each of them, negligently failed to perform that duty by failing to conduct a proper background check on HEUERMANN, RISING, MEYER, and DOES, by failing to train local committee members in proper testing, screening, and selection of HEUERMANN, RISING, MEYER, and DOES as a Pastor and/or Staff and by failing to monitor and supervise HEUERMANN, RISING, MEYER, and DOES training and activities as a Pastor and/or Staff. Defendants, and each of them, negligently managed, controlled, supervised, taught, educated, secured, oversaw and maintained the CHURCH, including the Plaintiff as well as Saint Michael's Lutheran CHURCH and the Staff therein.

53. At all times herein mentioned, UNYS, ELCIA, CHURCH, and DOES, and each of them, were negligent and careless in that they knew or should have known, but did nothing about the fact that HEUERMANN, RISING, MEYER, and DOES were incompetent, immoral, irresponsible, emotionally disturbed, pedophiles, and were likely to sexually molest and commit lewd and lascivious acts upon R.W. and other minors and active members of the CHURCH. Said Defendants, and each of them, also knew or should have known, but did nothing about the

fact that HEUERMANN, RISING, MEYER, or DOES were harming minors, raping minors, taking pornographic photographs of minors, having minors alone in the parsonage, torturing and threatening the lives of minors, even though such activities were not typical of CHURCH Staff or Pastors and raised questions as to why HEUERMANN, RISING, MEYER, and DOES were doing them. Said Defendants, and each of them, also knew or should have known, that HEUERMANN, RISING, MEYER, and DOES acted strange and peculiar around R.W. and other minors and active CHURCH members and should have investigated HEUERMANN, RISING, MEYER, and DOES and more carefully supervised them and limited or prohibited their contact and activities with R.W., other minors, and members of CHURCH.

54. At all times herein mentioned, UNYS, ELCIA, CHURCH, and DOES, and each of them, were negligent and careless in that they knew or should have known, but did nothing about the fact, that HEUERMANN, RISING, MEYER, and DOES were sexually molesting and committing lewd and lascivious acts upon R.W. and other minor children. In fact, said Defendants, and each of them, had been informed and knew that HEUERMANN, RISING, MEYER, and DOES were, or were probably, doing such things but did nothing to stop HEUERMANN, RISING, MEYER, or DOES and knowingly and intentionally tried to hide and cover up the fact that they were doing such things and refused to protect or help R.W.

55. As a legal result of said negligence, R.W. and other children were subjected to sexual abuse and the lewd and lascivious acts of HEUERMANN, RISING, MEYER, and DOES.

56. As a further legal result of said negligence, R.W. has sustained serious and permanent injuries to health, strength, activity, severe mental anguish and severe emotional distress, including, but not limited to anxiety, sleep disturbance, eating disturbance, stomach upset, depression, withdrawal, diminished self-esteem, post-traumatic stress disorder and dissociation; disruption of social functioning including, but not limited to difficulties with peers, difficulties with the opposite sex, failure to marry or have children, distrust of authority figures

and was, and will be, caused to suffer such injuries indefinitely into the future, constituting general damages.

57. As a further legal result of said wrongful acts, R.W. was required to and did employ physicians and medical providers to examine, treat, and provide care, and incurred expenses therefore, and will be required to incur additional expenses in the future, the exact amount of which is unknown at this time.

58. As a further, legal result of said wrongful acts, R.W. has and will continue to suffer substantial and continuing impairment of earning capacity, the exact extent of which is unknown at this time.

59. The aforementioned acts of said Defendants, and each of them, in learning about and trying to hide and cover up HEUERMANN, RISING, MEYER, and DOES wrongful acts, were willful, malicious, oppressive, fraudulent, and intentional and were committed with full knowledge that they were covering up a crime and that they could cause permanent and devastating physical and mental harm to R.W. and said acts of the Defendants, and each of them, were also wanton and reckless and done with complete disregard for the consequences to R.W. and others. R.W. is therefore entitled to an award of punitive damages.

#### **SEVENTH CAUSE OF ACTION**

#### **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS - (UNYS, ELCIA, CHURCH, AND DOES)**

60. R.W. repeats, realleges and incorporates by reference each and every allegation of paragraphs 1 through 59 of this complaint in this Seventh Cause of Action as though fully set forth herein.

61. In doing the acts alleged, UNYS, ELCIA, CHURCH, and DOES, and each of them, acted intentionally and maliciously and for the purpose of causing R.W. humiliation, mental anguish, and severe emotional, psychological, and physical distress. Said Defendants,

and each of them, acted wantonly and recklessly and with complete disregard for the consequences of R.W. and others.

62. As a further legal result of said wrongful acts, R.W. has sustained serious and permanent injuries to health, strength, activity, severe mental anguish and severe emotional and psychological distress, including, but not limited to anxiety, sleep disturbance, eating disturbance, stomach upset, depression, withdrawal, diminished self-esteem, post-traumatic stress disorder and dissociation; disruption of social functioning including, but not limited to, difficulties with peers, difficulties with the opposite sex, failure to marry or have children, distrust of authority figures and was and will be caused to suffer such injuries indefinitely into the future, sustaining general damage.

63. As a further legal result of said wrongful acts, R.W. was required to and did employ physicians and medical providers to examine, treat, and provide care, and incurred expenses therefore, and will be required to incur additional expenses in the future, the exact amount of which is unknown at this time.

64. As a further legal result of said wrongful acts, R.W. has and will continue to suffer substantial and continuing impairment of earning capacity, the exact extent of which is unknown at this time.

**WHEREAS**, R.W. prays for judgment against the Defendants, and each of them, as follows:

1. For compensatory damages in an amount to be determined at trial;
2. For general damages, including but not limited to pain and suffering, to be determined at trial;
3. For special damages according to proof;
4. For punitive damages in the amount of \$12,000,000.00;
5. For prejudgment interest pursuant to law;
6. For costs of suit incurred and attorney's fees, and;

7. For such other and further relief as the court may deem just and proper.

Dated: August 21, 2019



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To:

Kenneth C. Heuermann  
18-3 Kings Court  
Camillus, NY 13031

The Estate of  
Edward Rising

The Estate of  
Luther Meyer

Saint Michael's Lutheran CHURCH  
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